



# STATE OF WISCONSIN Senate Journal

## One-Hundred and First Regular Session

11:06 A.M.

TUESDAY, January 29, 2013

The Senate met.

The Senate was called to order by Senate President Ellis.

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### CALL OF ROLL

The roll was called, disclosing the presence of a quorum.

Pursuant to Senate Rule 15, the official attendance for session was:

Senators Carpenter, Cowles, T. Cullen, Ellis, Erpenbach, Farrow, S. Fitzgerald, Grothman, Gudex, Hansen, Harris, Harsdorf, Jauch, Kedzie, C. Larson, Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Moulton, Olsen, Petrowski, Risser, Schultz, Taylor, Tiffany, Vinehout, Vukmir and Wirch - 31.

Absent with leave - Senators Darling and Shilling - 2.

The Senate stood for a moment of silent meditation.

The Senate remained standing and Senator Petrowski led the Senate in the pledge of allegiance to the flag of the United States of America.

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### LEAVES OF ABSENCE

Senator Larson, with unanimous consent, asked that Senator Shilling be granted a leave of absence for today's session.

Senator Fitzgerald, with unanimous consent, asked that Senator Darling be granted a leave of absence for today's session.

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### ADVICE AND CONSENT OF THE SENATE

**NOWAK, ELLEN** Of Mequon, as a member of the Public Service Commission, to serve for the term ending March 1, 2019.

The question was: Confirmation?

The ayes and noes were demanded and the vote was: ayes, 29; noes, 1; absent or not voting, 3; as follows:

Ayes - Senators Cowles, T. Cullen, Ellis, Erpenbach, Farrow, S. Fitzgerald, Grothman, Gudex, Hansen, Harris, Harsdorf, Kedzie, C. Larson, Lasee, Lassa, Lazich, Lehman,

Leibham, Miller, Moulton, Olsen, Petrowski, Risser, Schultz, Taylor, Tiffany, Vinehout, Vukmir and Wirch - 29.

Noes - Senator Carpenter - 1.

Absent or not voting - Senators Darling, Jauch and Shilling - 3.

Confirmed.

Senator Jauch, with unanimous consent, asked to be recorded as voting Aye on the question of confirmation of Ellen Nowak.

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### LEAVES OF ABSENCE

Senator Larson, with unanimous consent, asked that Senator Jauch be granted a leave of absence for part of today's session.

**SHIER, VICTOR** Of Kewaskum, as a member of the Employee Trust Funds Board, to serve for the term ending May 1, 2013.

The question was: Confirmation?

The ayes and noes were demanded and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes - Senators Carpenter, Cowles, T. Cullen, Ellis, Erpenbach, Farrow, S. Fitzgerald, Grothman, Gudex, Hansen, Harris, Harsdorf, Jauch, Kedzie, C. Larson, Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Moulton, Olsen, Petrowski, Risser, Schultz, Taylor, Tiffany, Vinehout, Vukmir and Wirch - 31.

Noes - None.

Absent or not voting - Senators Darling and Shilling - 2.

Confirmed.

**WALL, EDWARD** Of Windsor, as Secretary of the Department of Corrections, to serve for the term ending at the pleasure of the Governor.

The question was: Confirmation?

The ayes and noes were demanded and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes - Senators Carpenter, Cowles, T. Cullen, Ellis, Erpenbach, Farrow, S. Fitzgerald, Grothman, Gudex, Hansen, Harris, Harsdorf, Jauch, Kedzie, C. Larson, Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Moulton, Olsen, Petrowski, Risser, Schultz, Taylor, Tiffany, Vinehout, Vukmir and Wirch - 31.

Noes - None.

Absent or not voting - Senators Darling and Shilling - 2.

Confirmed.

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**CONSIDERATION OF MOTIONS,  
RESOLUTIONS, AND JOINT RESOLUTIONS  
NOT REQUIRING A THIRD READING**

**Senate Joint Resolution 3**

Relating to: the life and public service of Orlan Prestegard.

Read.

Adopted by unanimous rising vote.

Senator Cullen, with unanimous consent, asked that all the members of the Senate be added as coauthors.

**Senate Joint Resolution 6**

Relating to: modifying the session schedule for the 2013-14 biennial session period and extending the deadline for the governor's budget message.

Read.

The question was: Adoption of **Senate Joint Resolution 6?**

Adopted.

**Senate Joint Resolution 7**

Relating to: the life and public service of John C. Shabaz.

Read.

Adopted by unanimous rising vote.

Senator Cowles added as a coauthor.

Senator Fitzgerald, with unanimous consent, asked that all action be immediately messaged to the Assembly:

**Senate Joint Resolution 3**

**Senate Joint Resolution 6**

**Senate Joint Resolution 7**

Messaged.

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**SECOND READING AND AMENDMENTS OF  
SENATE JOINT RESOLUTIONS AND  
SENATE BILLS**

**Senate Bill 2**

Relating to: the publication and effective dates of acts.

Read a second time.

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**IN THE CHAIR**

Pursuant to Senate Rule 2 (1), Majority Caucus Chair Lasee in the chair.

Ordered to a third reading.

Senator Fitzgerald, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 2**

Read a third time.

The question was: Passage of **Senate Bill 2?**

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 2; as follows:

Ayes - Senators Cowles, Ellis, Farrow, S. Fitzgerald, Grothman, Gudex, Harsdorf, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Petrowski, Schultz, Tiffany and Vukmir - 17.

Noes - Senators Carpenter, T. Cullen, Erpenbach, Hansen, Harris, Jauch, C. Larson, Lassa, Lehman, Miller, Risser, Taylor, Vinehout and Wirch - 14.

Absent or not voting - Senators Darling and Shilling - 2.

Passed.

Senator Fitzgerald, with unanimous consent, asked that all action be immediately messaged to the Assembly:

**Senate Bill 2**

Messaged.

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**ANNOUNCEMENTS, ADJOURNMENT  
HONORS, AND REMARKS UNDER SPECIAL  
PRIVILEGE**

Senator Risser, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Elizabeth Jones-Queensland, a member of the Senate Chief Clerk's office. Liz moved to Madison after graduating college in Minnesota to join her then-boyfriend, Mike Queensland, who was working in the Capitol. Liz joined the staff of the Sergeant's office for a brief time, establishing herself as a trusted employee, loyal friend, and a worthy Scrabble opponent. In 2008, Liz started working in the Senate Chief Clerk's office as Journal Clerk and excelled. When the former Chief Clerk resigned, Liz was tasked with taking on the responsibilities of Records Clerk, in addition to her duties as Journal Clerk. Liz has been an invaluable asset to the Wisconsin State Senate and is leaving some big shoes to fill. Though she will be missed, the Senate wishes her all the best in her future endeavors and thanks her for her dedication to the state.

Senator Lehman and Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Kennedy Defoe of the Red Cliff area, who along

with 15 teenagers, posted fliers in schools and grocery stores and collected 91 boxes of clothing, diapers, and personal care items.

Senator Lehman and Senator Jauch, with unanimous consent, asked that then the Senate adjourn, it do so in honor of AIDMATRIX.COM, Wisconsin Emergency Management and Indianhead Food Services of La Crosse, who delivered the items to Racine, where under the direction of Dave Voss and through the cooperation of Bethany Apartments, Family Literacy of Racine, and St. Vincent de Paul and Love, Inc., these items were distributed to needy families. Thanks to the leadership of one young person with many helpers, this statewide effort demonstrated wonderful cooperative caring.

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Patricia Briggs, Interim Gallery Director and Curator of the University of Wisconsin-Parkside and Fransico Loyola, who have brought their art exhibit here to the Capitol, the Chalk Talk Kenosha Community Art Project. Senator Wirch commends them on their efforts.

Senator Lazich, with unanimous consent, asked that when the Senate adjourn, it do so in honor of John Shabaz, who the Senate passed a resolution for earlier today. John served in the State Assembly from 1964 until 1981 and served as Republican Floor Leader from 1973 until 1981. Upon John's passing, many people from both sides of the aisle spoke of John's integrity, intelligence, and work ethic. John is survived by wife Patty of Madison, children Scott, Jeff, Emily, and John, two sisters Joanne Gillman of Hendersonville, NC, and the Senator's good friend Mary Mairano of New Berlin.

Senator Petrowski, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Andrew Lee Ninnemann, who died Wednesday, January 23, 2013. Andrew was a soldier who served his country honorably while serving in Afghanistan from August 2010 to August 2011. Senator Petrowski would like to express his sorrow to Andrew's father, Flint, to his mother, Annette, and to his six sisters.

Senator Vukmir, with unanimous consent, asked that when the Senate adjourn, it do so in honor of John Engels of Shullsburg, WI, who passed away a week ago.

Senator Taylor, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Sierra, her mentee, who celebrates a birthday on February 1<sup>st</sup>, and she hopes the Senate would wish Sierra a happy birthday.

Senator Taylor, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Gary Bennett, a staff member in her office who is leaving the Senate this month. Gary has been a crucial member of her staff, providing insight on education, health care, and taxation issues.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Kennedy Defoe and his 15 fellow classmates.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Jim Hudson of Bayfield, who tragically died last weekend when his snowmobile went through the ice. Jim is a former police officer who was profoundly respected by the citizens of the Bayfield community. There was no place Jim would rather be than on Lake Superior, where he was a fishing guide. Jim is survived by his wife, Hannah Stonehouse Hudson.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Jerry Moyer and Jessica Jauch, who recently wed in Hawaii.

Senator Fitzgerald, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Liz Jones-Queensland, whose last day it is in the Chief Clerk's office. Liz has been here for 5 years, and her work has been greatly appreciated.

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## ADJOURNMENT

Senator Fitzgerald, with unanimous consent, asked that the Senate stand adjourned until Thursday, January 31, 2013.

Adjourned.

12:10 P.M.